

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

VANCE HARRIS, JR.	§	
TDCJ-CID #643235	§	
V.	§	C.A. NO. C-05-072
	§	
LT. CASTRO, ET AL.	§	

ORDER VACATING ORDER ON COLLECTION

Plaintiff, a Texas state prisoner proceeding *pro se*, filed this civil rights action on February 7, 2005 (D.E. 1). On March 17, 2005, plaintiff sought leave to proceed *in forma pauperis* (i.f.p.) (D.E. 12), and by Order on Collection and Payment of Full Filing Fee entered March 22, 2005, plaintiff was granted permission to file his lawsuit and to pay the filing fee over time (D.E. 15). Thereafter, on April 20, 2005, plaintiff paid the full \$150.00 filing fee.¹

The docket reflects that, despite having paid the filing fee in full, sums continue to be withdrawn from plaintiff's inmate trust fund account and paid to the Court, ostensibly pursuant to the collection order. Finding that plaintiff has paid the fee in full and that no further collection is necessary, the Order on Collection and Payment of Full Filing Fee (D.E. 15) is hereby VACATED. The Clerk is instructed to return to plaintiff any sums collected over the amount of \$150.00.²

ORDERED this 31st day of January, 2006.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE

¹ Effective February 7, 2005, the filing fee was increased to \$250.00. Plaintiff's original complaint was executed on February 1, 2005, and deemed filed as of that date, such that the higher fee did not apply to his case.

² As of January 31, 2006, it appears that the sum is \$30.00.

